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| <b>TRANSMITTAL LETTER TO THE UNITED STATES<br/>DESIGNATED/ELECTED OFFICE (DO/EO/US)<br/>CONCERNING A FILING UNDER 35 U.S.C. 371</b>   |   | ATTORNEY'S DOCKET NUMBER<br>19025.053   |
|   |   | U.S. APPLICATION NO. (if known, see 37 CFR 1.5)<br><b>10/379500</b><br>To Be Assigned |
| INTERNATIONAL APPLICATION NO.<br>PCT/US2004/038496  | INTERNATIONAL FILING DATE<br>17 November 2004 | PRIORITY DATE CLAIMED<br>17 November 2003   |
| TITLE OF INVENTION<br>Methods and Agents for Screening for Compounds Capable of Modulating Her2 Expression  |   |   |
| APPLICANT(S) FOR DO/EO/US<br>Anuradha MEHTA <i>et al.</i>   |   |   |
| <p>Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:</p> <ol style="list-style-type: none"> <li><input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li><input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li><input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</li> <li><input checked="" type="checkbox"/> The US has been elected (Article 31).</li> <li><input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))             <ol style="list-style-type: none"> <li><input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li><input type="checkbox"/> has been communicated by the International Bureau.</li> <li><input checked="" type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US); however, a courtesy copy is attached.</li> </ol> </li> <li><input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).             <ol style="list-style-type: none"> <li><input type="checkbox"/> is attached hereto.</li> <li><input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4) and a courtesy copy is enclosed.</li> </ol> </li> <li><input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))             <ol style="list-style-type: none"> <li><input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li><input type="checkbox"/> have been communicated by the International Bureau.</li> <li><input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li><input checked="" type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li><input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li><input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li><input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol> <p><b>Items 11 to 20 below concern document(s) or information included:</b></p> <ol style="list-style-type: none"> <li><input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li><input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li><input checked="" type="checkbox"/> A preliminary amendment.</li> <li><input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</li> <li><input type="checkbox"/> A substitute specification.</li> <li><input type="checkbox"/> A power of attorney and/or change of address letter.</li> <li><input checked="" type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13<sup>ter</sup>.2 and 37 CFR 1.821 – 1.825.</li> <li><input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</li> <li><input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</li> <li><input checked="" type="checkbox"/> Other items or information: A copy of Form PCT/IB/304 (Notification Concerning Submission or Transmittal of Priority Document), a copy of Form PCT/IB/308 (First Notice Informing the Applicant of the Communication of the International Application), and a copy of Form PCT/IB/332 (Information Concerning Elected Offices Notified of Their Election)</li> </ol> |   |   |

|  |              |  |                            |  |                        |
|--|--------------|--|----------------------------|--|------------------------|
| U.S. APPLICATION NO. (if known, see 37 CFR 1.5)<br><b>To Be Assigned</b> <span style="font-size: 1.5em; font-weight: bold;">10/579500</span>   |              | INTERNATIONAL APPLICATION NO.<br>PCT/US2004/038496                               |                            | ATTORNEY'S DOCKET NUMBER<br>19025.053  |                        |
| 21. The following fees are submitted:<br><input checked="" type="checkbox"/> a) Basic national fee.....\$300.00<br><input checked="" type="checkbox"/> b) Examination fee.....\$200.00<br><input checked="" type="checkbox"/> c) Search fee .....\$500.00<br><b>TOTAL OF ABOVE CALCULATIONS = \$1000.00</b>  |              |  |                            | <b>Applicant use</b>   | <b>Office use only</b> |
|  |              |  |                            | \$ 300.00  |                        |
|  |              |  |                            | \$ 200.00  |                        |
|  |              |  |                            | \$ 500.00  |                        |
|  |              |  |                            | \$ 1,000.00  |                        |
| <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (including sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.   |              |  |                            |  |                        |
| Total Sheets   | Extra Sheets | Number of each additional 50 or fraction thereof<br>(round up to a whole number) | RATE                       |  |                        |
| 92 - 100 =   | 0 / 50 =     | 0  | x \$250.00                 | \$ 0.00  |                        |
| Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).   |              |  |                            | \$ 0.00  |                        |
| CLAIMS   | NUMBER FILED | NUMBER EXTRA   | RATE                       |  |                        |
| Total claims   | 54 - 20 =    | 34   | x \$50.00                  | \$ 1,700.00  |                        |
| Independent claims   | 10 - 3 =     | 7  | x \$200.00                 | \$ 1,400.00  |                        |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable)  |              |  | + \$360.00                 | \$   |                        |
| <b>TOTAL OF ABOVE CALCULATIONS =</b>   |              |  |                            | <b>\$ 4,100.00</b>   |                        |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.   |              |  |                            | \$   |                        |
| <b>SUBTOTAL =</b>  |              |  |                            | <b>\$ 4,100.00</b>   |                        |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).  |              |  |                            | +  | \$                     |
| <b>TOTAL NATIONAL FEE =</b>  |              |  |                            | <b>\$ 4,100.00</b>   |                        |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.21). \$40.00 per property   |              |  |                            | +  | \$                     |
| <b>TOTAL FEES ENCLOSED =</b>   |              |  |                            | <b>\$ 0.00</b>   |                        |
|  |              |  |                            | Amount to be refunded:   | \$                     |
|  |              |  |                            | Amount to be charged   | \$ 4,100.00            |
| a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.<br>b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. 50-2387 in the amount of \$ <u>4,100.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed.<br>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-2387. A duplicate copy of this sheet is enclosed.<br>d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. <b>Credit card information should not be included on this form.</b> Provide credit card information and authorization on PTO-2038. |              |  |                            |  |                        |
| <b>NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.</b>  |              |  |                            |  |                        |
| SEND ALL CORRESPONDENCE TO:<br><b>ARNOLD &amp; PORTER LLP</b><br>Attn: IP Docketing<br>555 Twelfth Street, N.W.<br>Washington, DC 20004<br>Tel.: 202-942-5000<br>Fax: 202-942-5999   |              |  |                            |  |                        |
|  |              |  | Filed: <u>May 16, 2006</u> | <br>SIGNATURE |                        |
|  |              |  |                            | David R. Marsh/Kristan L. Lansbery   |                        |
|  |              |  |                            | NAME   |                        |
|  |              |  |                            | 41,408/53,183  |                        |
|  |              |  |                            | REGISTRATION NUMBER  |                        |

May 16, 2006

**Mail Stop PCT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Re: U.S. National Phase Application  
Based on International Application No. PCT/US2004/038496  
International Filing Date: 17 November 2004  
Appln. No.: To Be Assigned  
Filed: Herewith  
Title: Methods and Agents for Screening for Compounds Capable of  
Modulating Her2 Expression  
Applicants: Anuradha MEHTA *et al.*  
Atty. Docket: 19025.053

Sir:

The following documents are forwarded herewith for appropriate action by the United States Receiving Office (RO/US):

1. Transmittal Letter to the United States Designated/Elected Office (DO/EO/US)  
Concerning a Filing Under 35 U.S.C. 371 (in duplicate);
2. a Published International Application entitled:  
Methods and Agents for Screening for Compounds Capable of Modulating Her2 Expression  
and naming as inventors:  
Anuradha MEHTA and Christopher Robert TROTTA;  
the application consisting of:
  - a. a specification containing:
    - (i) 63 pages of a description prior to the claims;
    - (ii) 5 pages of claims;

- (iii) a one page abstract;
- (iv) 8 pages of drawings (Figures 1-10);
- (v) 12 pages of a paper copy of the sequence listing;
- 3. a sequence listing in Computer Readable Form (CRF), on floppy diskette;
- 4. a Statement Regarding Sequence Submission;
- 5. a Preliminary Amendment;
- 6. a copy of Published International Search Report (WO 2005/049868 A1);
- 7. a copy of Form PCT/IB/304 (Notification Concerning Submission or Transmittal of Priority Document);
- 8. a copy of Form PCT/IB/308 (Second and Supplementary Notice Informing the Applicant of the Communication of the International Application);
- 9. a copy of Form PCT/IB/332 (Information Concerning Elected Offices Notified of Their Election);
- 10. an Information Disclosure Statement;
- 11. a Form PTO-1449 (citing 14 references and supplying 11 references); and
- 13. two (2) return postcards.

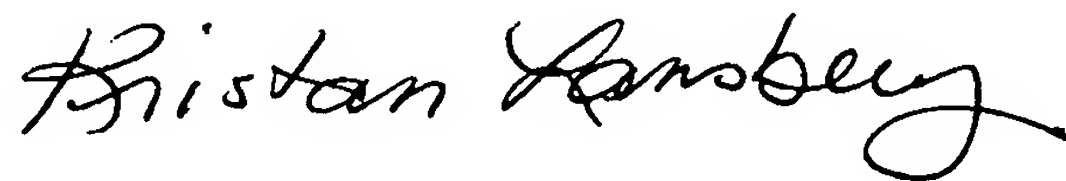
Applicants request that \$4,100.00 for the following fees be charged to Deposit Account No. 50-2387, referencing matter number 19025.053:

|                   |                    |
|-------------------|--------------------|
| <u>\$1,000.00</u> | basic filing fee   |
| <u>\$3,100.00</u> | excess claims fee. |

Please stamp one of the two attached postcards with the filing date of these documents and return it to our courier, and stamp the other prepaid postcard with the filing date and unofficial application number and return it as soon as possible.

In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned. Applicants do not believe any fees, other than the above fees (\$4,100.00) are due in conjunction with this filing. However, if any additional fees are required in the present application, including any fees for extensions of time, then the Commissioner is hereby authorized to charge such fees to Arnold & Porter LLP Deposit Account No. 50-2387, referencing matter number 19025.053. A duplicate of this letter is enclosed.

Respectfully submitted,



David R. Marsh (Reg. No. 41,408)

Kristan L. Lansbery (Reg. No. 53,183)

Attachments